

U.S. DEPARTMENT OF COMMERCE

INFORMATION DISCLOSURE STATEMENT		Docket Number: 2664/63006		
Invention Title PROCESSES FOR PREPARATION OF POLYMORPHIC FORMS OF DESL OR ATADINE		Inventor(s) Zoltan G. TOTH, et al.		

Address to:

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

Date: Sept. 17, 2004 Signature: Show tha

Sir:

- 1. In accordance with the duty of disclosure under 37 C.F.R. § 1.56 and in conformance with the procedures of 37 C.F.R. §§ 1.97 and 1.98 and M.P.E.P. § 609, attorneys for Applicants hereby bring the following references to the attention of the Examiner. These references are listed on the attached modified PTO Form No. 1449. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. The filing of this Information Disclosure Statement and the enclosed PTO Form No. 1449, shall not be construed as an admission that the information cited is prior art, or is considered to be material to patentability as defined in 37 C.F.R. § 1.56(b).
- 2. Copies of patents, publications or other information listed on the modified PTO Form 1449 are enclosed, unless indicated otherwise. Copies of each U.S. patent and patent application publication listed on the modified PTO Form No. 1449 are not enclosed since the present application was filed after June 30, 2003.
- It is believed that no fees are due in connection with this Information Disclosure 3. Statement. However, should any fees be due the Commissioner is authorized to charge deposit account number 11-0600 for such fees.

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PTO/SB/08a (08-03)

Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number. bstitute for form 1449A/PTO Complete if Known Application Number 10/800,290 March 12, 2004 Filing Date First Named Inventor Toth et al.

Art Unit

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

TRADE

(Use as many sheets as necessary) Examiner Name To be assigned 2664/63006 Sheet of 1 Attorney Docket Number

	U.S. PATENT DOCUMENTS					
Examiner Cite No. ¹	Cite	e Document Number t Number - Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevar Passages or Relevant Figures Appear	
	No.		WW-00-1111			
		US-3,326,924	June 20, 1967	Frank J. Villani		
		US-4,282,233	August 4, 1981	Frank J. Villani		
		US-4,659,716	April 21, 1987	Villani et al.		
		US-6,506,767	January 14, 2003	Schumacher et al.		
		US- 2004/0058949 A1	March 25, 2004	Ray et al.		
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Examin er Initials*		Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T°
	Cite No. ¹	Country Code ³ - Number ⁴ - Kind Code ⁵ (<i>if</i> known)				
·		EP 0 577 957	January 12, 1994	J. Uriach & Cia, S.A.		
12.2.2		WO 88/03138	May 5, 1988	Schering Corporation		
		WO 2004/029039	April 8, 2004	Morepen Laboratories Limited		

Examiner Signature Date Considered	Examiner Signature		Date Considered		
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ¹ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁵ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.